

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

JUSTIN DELGADO

v.

LG FOX, INC. and
RONNIE COLLETT

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CIVIL ACTION NO.: 5:22-cv-00853

JURY DEMANDED

DEFENDANTS LG FOX, INC. AND RONNIE COLLETT'S
NOTICE OF REMOVAL

1. LG Fox, Inc. and Ronnie Collett, are Defendants in a civil action brought by Plaintiff, Justin Delgado, on July 13, 2022, in the 131st Judicial District Court of Bexar County, Texas, Cause No. 2022CI13158, styled *Justin Delgado v LG Fox, Inc. and Ronnie Collett*.

2. Service of Plaintiff's Original Petition and citation was made on Defendants LG Fox, Inc. and Ronnie Collett on July 14, 2022. This Original Petition is the initial pleading that sets forth the claims upon which the action is based, and LG Fox, Inc., first received a copy of that pleading by service through the Corporation Service Company on July 17, 2022. The Original Petition alleges damages in excess of \$1,000,000.00, or alternatively between \$250,000.00 and \$1,000,000.00 thus meeting the jurisdictional amount in controversy for removal. The following constitutes all of the process, pleadings and orders served upon Plaintiff and Defendants in this action:

- a. Plaintiff's Original Petition;
- b. Citation Issued to LG Fox, Inc. and Ronnie Collett; and
- c. Defendants LG Fox, Inc. and Ronnie Collett's Original Answer.

3. This action is a civil action of which this Court has original jurisdiction under 28 U.S.C. § 1332, and is one which LG Fox, Inc. and Ronnie Collett, are entitled to remove to this Court pursuant to 28 U.S.C. § 1441, because the action is between citizens of different states. LG Fox,

Inc., is incorporated under the law of Kentucky. The principal place of business for LG Fox, Inc. is Lexington, Kentucky. Ronnie Collett is a resident and citizen of the State of Kentucky.

4. Plaintiff Justin Delgado alleges in his Original Petition that she is a resident and citizen of the State of Texas. Thus, there is complete diversity between Plaintiff and Defendants as required by 28 U.S.C. § 1332 and 28 U.S.C. § 1441(b).

4. The matter in controversy exceeds \$75,000.00, exclusive of interest, costs and attorneys' fees. It is apparent from the face of the Plaintiff's Original Petition the matter in controversy exceeds \$75,000.00.

5. Defendants LG Fox, Inc. and Ronnie Collett consent to the removal of this lawsuit.

6. All pleadings, process, orders and other filings in the state court action are attached to the original Notice of Removal and filed with the Court as required by 28 U.S.C. § 1446(a).

7. Venue is proper in this district under 28 U.S.C. § 1441(a) because this district and division embrace the place where the removed action has been pending.

8. Defendants LG Fox, Inc. and Ronnie Collett, will promptly file a copy of this Notice of Removal with the clerk of the state court where the action has been pending.

PRAYER

Considering the foregoing, LG Fox, Inc. and Ronnie Collett, pray the above-referenced action now pending in the 131st Judicial District Court of Bexar County, Texas, Cause No. 2022CI13158, styled *Justin Delgado v LG Fox, Inc. and Ronnie Collett*, be removed to this Court.

Respectfully submitted,

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/s/Belinda May Arambula

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Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of August 2022, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

VIA E-SERVICE

Langdon “Trey” Smith
JIM S. ADLER & ASSOCIATES
1900 West Loop South, 20th Floor
Houston, Texas 77027

/s/Belinda May Arambula

Belinda May Arambula